

REMARKS

Claims 1-9 are now pending in the application, Claims 10-49 having been previously cancelled. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendment and remarks contained herein.

In light of the Examiner's comments in the Allowable Subject Matter section of the Office Action, Applicants have amended Claim 1 to remove the limitation "ultra-short". As the Examiner noted under the heading Allowable Subject Matter, Claims 1-9 would be allowable if rewritten "because the prior art does not disclose or suggest a fuel cell comprising a first planar manifold defined between a first gas-impermeable element and an active element, a plurality of spacers disposed within the first planar manifold, each of the plurality of the spacers and the first gas-impermeable element having an orifice formed therethrough, a second planar manifold defined between the first gas-impermeable element and a second gas-impermeable element in a subjacent relationship to the first planar manifold, wherein a flow path is established from the second planar manifold through the orifice over the active [element] to the first planar manifold." Thus, the prior art does not disclose the structure and its relative position within the claimed flow field. Applicants would like to thank the Examiner for the telephonic conference on July 24, 2007 regarding the allowable subject matter and proposed claim amendment.

While the foregoing amendment renders moot the rejection under 35 U.S.C. § 112, second paragraph, Applicants submit that the term "ultra-short flow path" as described in Claim 1 finds support in the specification in paragraphs [0035], [0036], [0041] – [0044] and Figures 4A, 4B, 6A and 6B. In paragraph [0035], the Applicants

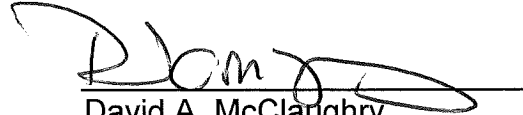
define the spacers (64) as discs having a diameter of approximately 0.375" with an orifice (72) of about 0.050" formed there through. The pillars (68) are also circular discs having a diameter of approximately 0.125". Paragraph [0036] states that while these are preferred dimensions, one skilled in the art will recognize that alternate dimensions may be selected in accordance with the specification and operational parameters of a given fuel cell application. Paragraph [0042] further states that the dimension of the spacer (64) establishes the length of flow path (A). In Figures 4A, 4B, 6A and 6B, the flow path is visually depicted. Applicants submit that one skilled in the art would be able to determine the requisite dimension for the "ultra short flow path" from the noted paragraphs and figures, particularly in view of other conventional flow fields defined by elongated channels.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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